

REMARKS

This Amendment is responsive to the official action dated September 10, 2007. Claims 1-31 were pending in the application. In the official action, claims 1-31 were rejected. In this Amendment, claims 1, 7, 9, 20, and 31 have been amended. Claims 1-31 thus remain for consideration.

Applicant submits that the application is now in condition for allowance and requests reconsideration and withdrawal of the rejections in light of the following remarks.

In the Abstract

Applicant has amended the abstract to correct for a typographical error.

Claim objections

Claim 7 was objected to because of an informality.

Claim 7 has been amended. Applicant submits that claim 7 is now in compliance with all formality requirements, and therefore requests that the objection to claim 7 be withdrawn.

§101 Rejections

Claim 31 was rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Claim 31 has been amended. Applicant submits that the amendment to claim 31 renders claim 31 compliant with §101. Accordingly, Applicant requests that the rejection under §101 be withdrawn.

§102 Rejections

Claims 1-31 were rejected under 35 U.S.C. §102(e) as being anticipated by Nakada (US Patent No. 7,133,387).

Applicant respectfully submits that the claims are patentable over Nakada.

Applicant's invention as recited in claim 1 is directed toward a wireless communication system. The claim recites that the system "operat[es] without a base station and include[es] a

plurality of communication apparatuses associated with respective communication areas." That is, communications between apparatuses in Applicant's system do not pass through a "base station." Rather, in Applicant's system a communication apparatus transmits directly to other communication apparatuses that are located within its communication area. The transmitting apparatus adds a preamble signal to its transmission and a communication apparatus which is located within the communication area of the transmission source, and which is not currently communicating, is operable to recognize that "the transmission path is used for a predetermined interval from a time when the preamble signal is detected."

Nakada does not disclose operation without a base station as recited by Applicant. In particular, Applicant notes that Nakada includes a "base station 40" for receiving "preamble signals" from a "plurality of communication terminals" and transmitting an allowance (ACK) or rejection (NACK) signal "on the basis of each preamble signal." (Nakada column 3, lines 40-53.) Therefore, Applicant believes that claim 1 is patentable over Nakada on at least this basis.

Independent claims 9, 20, and 31 include limitations similar to those discussed in connection with claim 1. Accordingly, Applicant submits that claims 9, 20, and 31 are patentable over Nakada for at least the same reasons as discussed in connection with claim 1.

Further, since dependent claims inherit the limitations of their respective base claims, Applicant submits that dependent claims 2-8, 10-19, and 21-30 are patentable for at least the same reasons as claims 1, 9, and 20.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the

Application No.: 10/500,647

Docket No.: SONYJP 3.3-1050

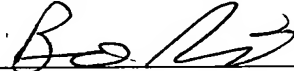
Examiner has any further suggestions, the Examiner is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

Dated: February 5, 2008

Respectfully submitted,

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